IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No. 191 of 2004.
Date of Decision: 13.2.2013.

Daya Ram .... Petitioner

Versus

Kapur Singh and others .... Respondents

CORAM: HON'BLE MR. JUSTICE NAWAB SINGH

Present: Mr. R.D. Yadav, Advocate,
for the petitioner.

Mr. Sanjay Mittal, Advocate,
for the respondents.

NAWAB SINGH.J (ORAL)

This plaintiff's revision is directed against the order dated December 19th, 2003 passed by Additional Civil Judge (Senior Division), Rewari whereby application to lead additional evidence was dismissed.

Learned counsel for the petitioner-plaintiff has urged that petitioner wanted to tender documentary evidence viz. Jamabandi, khasra girdawaris and Local Commissioner's report in evidence which he could not produce while leading evidence due to bona-fide mistake and trial Judge should have allowed the application. In support of the contention, he has relied upon **Salim Advocate Bar Association vs. Union of India 2002(4) RCR (Civil) 786**

It is one of the unfortunate cases which is pending before this Court since more than 9 years. Be that as it may, order under challenge is set-aside. Revision is accepted subject to conditional costs of Rs.3000/-. The petitioner is accorded one effective opportunity to place on record the aforesaid documents. The defendants-respondents shall have right to rebut the same by leading evidence, if so advised.

13.2.2013 **(NAWAB SINGH)**
SN **JUDGE**